

Message Text

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 204331

E.O. 11652: N/A

TAGS: PORG, PDIP, UN

SUBJECT: USG REPLY TO SYG REQUEST FOR COMMENTS ON
IMPLEMENTATION OF VIENNA CONVENTION ON DIPLOMATIC RELATIONS

REF: ROSENSTOCK-STOWE TELECON AUGUST 13

1. MISSION IS REQUESTED TO SUBMIT THE FOLLOWING TEXT TO
THE SYG IN RESPONSE TO HIS NOTE OF FEBRUARY 6, 1976 SENT
PURSUANT TO PARA 4 OF A/RES/3501 (XXX).

2. BEGIN NOTE: THE GOVERNMENT OF THE UNITED STATES OF
AMERICA PRESENTS ITS COMPLIMENTS TO THE SECRETARY GENERAL
OF THE UNITED NATIONS AND HAS THE HONOR TO REFER TO HIS
NOTE OF FEBRUARY 6, 1976 CONCERNING GENERAL ASSEMBLY
RESOLUTION 3501 (XXX).

3. THE QUESTIONS OF WAYS AND MEANS TO ENSURE THE IMPLE-
MENTATION OF THE PROVISIONS OF THE VIENNA CONVENTION ON
DIPLOMATIC RELATIONS OF 1961 AND THE DESIRABILITY OF THE
ELABORATION OF PROVISIONS CONCERNING THE STATUS OF THE
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DIPLOMATIC COURIER WERE ADDRESSED IN SOME DETAIL AT THE

THIRTIETH SESSION OF THE GENERAL ASSEMBLY BY THE UNITED STATES REPRESENTATIVE. THESE COMMENTS MAY BE FOUND IN THE PROVISIONAL SUMMARY RECORDS OF THE SIXTH COMMITTEE

(A/C.6/SR.1579 AND 1581 OF DECEMBER 3, 1975 AND DECEMBER 4, 1975).

4. THE GOVERNMENT OF THE UNITED STATES ATTACHES CONSIDERABLE IMPORTANCE TO THE CONVENTION AND ITS IMPLEMENTATION. IT BELIEVES THAT, SINCE THE CONVENTION IS, IN MOST MATERIAL RESPECTS, A CODIFICATION OF EXISTING DIPLOMATIC LAW, STATES ARE BOUND BY ITS TERMS WHETHER OR NOT THEY ARE PARTIES. THE WIDEST POSSIBLE ADHERENCE TO THE CONVENTION IS NEVERTHELESS DESIRABLE. THE UNITED STATES ATTACHES PARTICULAR IMPORTANCE TO THE WIDEST POSSIBLE ACCEPTANCE OF THE OPTIONAL PROTOCOL CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES. IT BELIEVES THAT ACCEPTANCE OF THE OPTIONAL PROTOCOL IS THE BEST WAY OF ENSURING APPLICATION OF THE RULES CONTAINED IN THE CONVENTION AND GIVING EARNEST OF ONE'S INTENTION TO COMPLY WITH ALL THE RIGHTS AND DUTIES IN GOOD FAITH.

5. WITH REGARD TO THE STATUS OF THE DIPLOMATIC COURIER, THE UNITED STATES GOVERNMENT BELIEVES THAT THE EXISTING TEXT OF THE CONVENTION, IN PARTICULAR ARTICLE 27, COVERS THE MATTER ADEQUATELY AND DOES NOT NEED TO BE CHANGED OR ADDED TO. THE UNITED STATES IS CONVINCED THAT COMPLIANCE WITH THE RELEVANT EXISTING RIGHTS AND OBLIGATIONS IS ALL THAT IS REQUIRED. THE UNITED STATES GOVERNMENT DOES NOT BELIEVE FURTHER CONSIDERATION OF THE MATTER IS MERITED AT THIS TIME. END NOTE. KISSINGER

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